

pronounce judgment in conformity with the conclusions of the declaration, and shall further condemn the Defendant to the payment of a fine not exceeding *fifty* pounds currency, and costs of suit.

XV. Whoever shall translate or cause to be translated, or shall print, or publish, or cause to be printed or published, in this Province, without the express consent in writing of the author or artist or of his legal representative, any work whatsoever, the copyright or exclusive right over which shall have been obtained as hereinbefore provided, or who shall import or cause to be imported, or cause to be sold in this Province, a pirated edition of such work, shall, upon action of debt instituted for that purpose, in Lower Canada, in the Superior Court for the Judicial District within the limits of which the person contravening this enactment shall reside, or in Upper Canada, in any Superior Court of Civil Jurisdiction, be condemned to pay to the author or artist or his legal representative the sum of ten shillings currency, as and for damages for each copy of any such work which shall be found in his possession contrary to the provisions of this Act.

In case of publication or sale of pirated editions of works.

XVI. It shall be lawful for any Judge of the Court, in the case of the prosecution referred to in the next preceding section, upon the declaration on oath of the author or artist or his legal representative, to the effect that a depository of copies of any work printed, published or pirated as mentioned in the preceding section, exists in any locality or place whatsoever, or in the custody of any person whatsoever, within the judicial limits of the said Court, to order the issue of a writ for the search and examination of such place and for the seizure of each and every such copy, and to cause them to be conveyed to and deposited in the office of the Clerk or prothonotary of the said Court, there to remain until judgment shall be obtained, and also at the same time to issue an order of summons to compel the said person so found in possession of the said copies, to appear before the said Court upon the day fixed by the said writ, to answer to the demand contained in the Plaintiff's action.

Search for copies of pirated works may be made in certain cases.

XVII. In the case mentioned in sections 15 and 16, in default of the Defendant's establishing the legality of the act complained of by the Plaintiff, he shall be condemned to pay to the Plaintiff the sums mentioned in the 15th section, and the said Court by its judgment may order the Clerk or Prothonotary to destroy each and every copy which shall have been deposited as provided by section 16.

Burden of proof to rest with Defendant.

XVIII. Any author residing in the United Kingdom of Great Britain and Ireland, who shall comply with the foregoing requirements of the Act, and shall print and publish his work in this Province, shall during his lifetime have the copyright thereof as defined in this Act; but the right hereby vested in any person not resident in this Province, shall not be given, sold or transferred either wholly or partially, except to a person resident therein.

On what condition authors in the United Kingdom may obtain copyright here.

XIX. Whoever shall falsely assert in any work by him written, composed, printed or published, in any manner whatsoever, that he has obtained copyright in respect of such work in conformity with the provisions of this Act, or who shall employ or make use of expressions which might lead to the belief that he has obtained such right, shall incur a penalty not exceeding £25 currency, and costs, upon proof of the offence made before a Court of competent Civil Jurisdiction, by the oath of one or more credible

Persons falsely asserting that they possess copyright how dealt with.